

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

13, 35, 20, 36, 6

DAILY 3

Afternoon picks: 0, 8, 6

Evening picks: 5, 1, 4

DAILY DERBY

1st Place: 1, Gold Rush

2nd Place: 9, Winning Spirit

3rd Place: 3, Hot Shot

Race Time: 1:47.30



NEWS OF THE WEIRD

by Chuck Shepard

■ Brandon Kivi, 15, was suspended from Caney Creek High (Conroe, Texas) in October for possibly saving the life of his girlfriend (a fellow classmate) by lending her his asthma inhaler after she had misplaced hers; that was delivery of a dangerous drug.

■ Raylee Montgomery, 13, was suspended from school in Duncanville, Texas, in September when her shirttail became untucked, a violation of the dress code (raising the number of dress-code-caused suspensions in her 3,500-student school to more than 700 in just five weeks).



QUOTE OF THE DAY

"The rich are the scum of the earth in every country."

— G.K. Chesterton



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Schools rally city for continued funds

'Month of Thanksgiving' includes three-pronged fundraising approach

BY JOHN WOOD

Daily Press Staff Writer

With next year's budget woes in mind, a group of education leaders went before the City Council on Tuesday to praise it for giving extra money to local schools this year.

The presentation was part of a three-pronged effort this month to thank local officials and residents for their ongoing support of the cash-strapped school district.

Schools spokeswoman Rebecca Kennerly said this is the earliest ever that school groups have begun community outreach. Because of the dire situation with the state budget in Sacramento, the group anticipates needing extra money for the 2004-2005 school year.

"The district is strong," Kennerly said before the Tuesday presentation. "We want to make sure we let them know when good things are happening — and when the next funding crisis comes up, which is going to happen this next school year."

"We want to let them know we

"We want to let them know we haven't taken their money and disappeared into the sunset."

— REBECCA KENNERLY

Schools spokeswoman

haven't taken their money and disappeared into the sunset."

Due to extra cash donations from the cities of Santa Monica and Malibu, as well as revenue from Measure S, a flat \$225 parcel tax approved by voters in June, the Santa Monica-Malibu Unified School District was able to maintain class offerings this school year despite heavy funding cuts from Sacramento. It was facing a multi-million dollar budget shortfall this year until the district received the extra cash.

Mat Millen, a local attorney who campaigned against Measure S, said he hopes the council agrees to give more money to schools when the issue emerges again next summer.

See SCHOOLS, page 5

A workout with a view



Carolyn Sackariason/Daily Press

Santa Monica residents do calf exercises in Palisades Park on Monday during their five-week 'boot camp' program with Sonki Fitness, a local company founded by trainer Sonki Hong.

Up in smoke: Santa Monica merchant feeling snuffed



Carolyn Sackariason/Daily Press

The bus stop in front of Lone Wolf, a cigar store on Broadway, blocks the owner's view and deters customers, he claims.

Transit mall a detriment, not an asset, business owner says

BY JOHN WOOD

Daily Press Staff Writer

In the three years since David Weiss bought a little cigar shop in downtown Santa Monica, his rent has doubled, and he's lost the only three parking spaces in front of his store.

Despite a plan to widen the sidewalk on Broadway downtown and draw more foot traffic from the popular Third Street Promenade, Weiss said his shop has become a cave easily missed by shoppers.

Buses start and stop 10 feet from his

See CIGAR SHOP, page 5

Supermarket strike negotiations resume

BY ALEX VEIGA

AP Business Writer

LOS ANGELES — Union and supermarket chain negotiators resumed labor talks this week, the first attempt at negotiations in nearly a month since some 70,000 Southern California grocery clerks went on strike or were locked out.

The talks were being held in secret to keep negotiators focused on resolving their differences, said John Arnold, spokesman for the Washington-based Federal Mediation and Conciliation Service.

"Talks are being held as scheduled," Arnold said.

Union and supermarket-chain officials declined to discuss details of the meeting.

A federal mediator brokered last-ditch talks on the eve of the Oct. 11 strike, but the negotiations failed.

See LABOR TALKS, page 6



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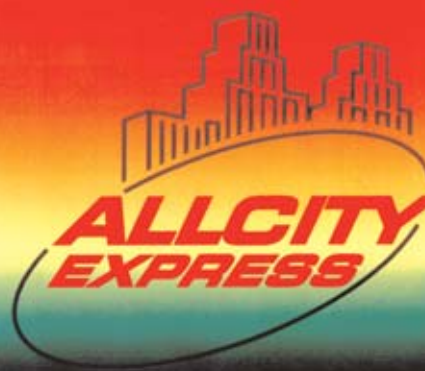
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JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

HAPPY BIRTHDAY for Wednesday, November 12, 2003:

You often swing back and forth on matters that involve funds, relationships and home. Understanding this tendency, remember not to jump in and make an overly passionate commitment. Feelings run high this year. Do what you do best; detach and do your research before coming to any major decision. You will become more and more creative. Reaching one of your major goals is in your stars this year. If you are single, your attractiveness draws many suitors. It is your year to pick and choose. By September, you will meet someone key. If attached, your relationship flourishes because of your passion and willingness to work with your sweetie. CANCER helps you see the big picture.

♈ ARIES (March 21-April 19)
★★★★ A change in energy might force your hand in a group dynamic. Whatever you do is done with gusto today, be it communication, love or reaching out for others. Go for what you want. The force is with you! Tonight: Curl up at home.

♉ TAURUS (April 20-May 20)
★★★★ Juggle your finances before committing to a key action. Passion runs high right now, especially about whatever you want and where you are heading. Others let you know as well what is in their minds. Let the communication flow. Tonight: Catch up on a pal's news.

♊ GEMINI (May 21-June 20)
★★★★ Get as much done as you can in the morning, when your creativity and charisma walk hand in hand. Others will surprise you with their responses. Find an expert if need be. Focus on a financial situation at work or at home. Tonight: Pay bills.

♋ CANCER (June 21-July 22)
★★★★ Lie back in the morning, when facts come forward that might even excite you. Your intuition and passion pull you in the right direct. Use the p.m. well, when the Moon slides into your sign. Anything is possible at this point. Tonight: Smile away.

♌ LEO (July 23-Aug. 22)
★★★★ Use the a.m. to go for what you want; you'll find others more amenable to your ideas and plans. You aren't always as clear as you would like; others will hear you right now. Your creativity peaks, though you might need some downtime to mull over ideas. Tonight: Use tonight for yourself.

♍ VIRGO (Aug. 23-Sept. 22)
★★★★ Take the role you want: Become the office leader. Understand more of what is needed to make you happier. You cannot always have everything you want. Focus in the p.m. on networking, returning calls and getting your ducks lined up. Tonight: Find your friends. You deserve a midweek break.

♎ LIBRA (Sept. 23-Oct. 22)
★★★★ Stay detached. Gather information. Reach out for someone at a distance. You will be more willing to communicate than you have been in a long time. Your charisma peaks, especially when you assume a leadership position. Tonight: In the limelight. Pretend you're a rock star. Why not some karaoke?

♏ SCORPIO (Oct. 23-Nov. 21)
★★★★ Some feel very strongly right now. Passion runs high, but you might be pleased by a partner's or friend's responses. Use the afternoon to contact key associates. Network, as well as doing some personal research. You discover key information. Tonight: Follow the music.

♐ SAGITTARIUS (Nov. 22-Dec. 21)
★★★★ Applaud as Mercury moves into your sign. Finally, what you say registers. You might be surprised by some feedback. In the afternoon, spend time with individuals. You will be more successful and happier this way. Tonight: Add some spice to your life.

♑ CAPRICORN (Dec. 22-Jan. 19)
★★★★ Stay busy, knowing what you want and knowing your priorities in daily life. If possible, clear out as much as possible in the morning. By afternoon, you easily could find yourself in a social whirl. You like what comes down. Tonight: Accept an invitation.

♒ AQUARIUS (Jan. 20-Feb. 18)
★★★★ Use that special touch and energy with a key relationship. Your inventiveness goes far in a personal situation as well as at work. Dedicate your afternoon to accomplishing a key project. Don't forget to schedule that doctor's appointment. Tonight: Off to the gym, or indulge some other stress-buster.

♓ PISCES (Feb. 19-March 20)
★★★★ You might have a difficult time getting going, but you are close to unstoppable once you do. Bosses become verbal and direct. Clearly, you are heading in a new direction. Tap into that imagination. A key call comes from a distance. Tonight: Ask, and you shall receive.

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LOCAL



COMMUNITY BRIEFS

Bayside offers parking tips for navigating downtown

By Daily Press staff

It's time to break old habits when driving in downtown Santa Monica for the holiday season.

The Bayside District Corp., which manages the Third Street Promenade and downtown Santa Monica, has offered the following tips for holiday shoppers:

There are more places to park than the Fourth Street city parking structures that most people use. There are nine city parking structures downtown, many of which often have available spaces.

The best parking options are off Wilshire Boulevard. When driving west on the 10/Santa Monica Freeway, exit at Fifth Street instead of Fourth Street. Drive north to Wilshire Boulevard and turn left. Turn right at Fourth Street and make a quick left into structure No. 9, one of the most unused parking sites in Santa Monica.

For the best place to park for the Wednesday Farmers' Market, turn left at Wilshire Boulevard and Second Street and look for Structure No. 2 on the left. Also on Second Street is Structure No. 4, just south of Arizona Avenue and north of Santa Monica Boulevard.

All of the city parking structures provide two free hours to visitors — no validation needed. The rate is \$1 per half-hour thereafter from 8 a.m. to 5:59 p.m., with a \$7 maximum daily rate. There is a flat rate of \$3 for vehicles entering after 5:59 p.m. There also are several parking lots throughout downtown and metered on- and off-street parking. Read the hours of operation carefully to avoid ticketing.

Also, for the first time in Santa Monica's history, public valet parking will be available in Structure No. 5 located on Fourth Street between Broadway and Santa Monica Boulevard. The valet parking program will begin Friday, Nov. 28, and will be available evenings and weekends.

For more information and to view a map of downtown's public parking, visit the Santa Monica parking site at <http://parking.santa-monica.org>.

Planning workshop will help map Venice's future

By Daily Press staff

Community groups, city officials, business organizations and residents will team up on Nov. 15 to plot the future of Venice's Lincoln Boulevard area.

During a planning workshop dubbed, "Envision Venice," participants will seek to create long-term planning for development, transportation, multiple use projects, street-scaping and other urban issues.

"We see this meeting as a first step in bringing the people of Venice into long-term planning for Lincoln Boulevard in a way that will enhance the unique cultural and artistic qualities of our community," said Gwynne Pugh, an architect and the vice chairman of the program-planning committee for the Venice Community Coalition. "This effort is critical because Lincoln is a major traffic arterial and a center of commerce and activity in Venice."

The goal of the workshop is to elicit and crystallize "design values" — residents' feelings and ideas about how Lincoln Boulevard should look and function as a part of their community. Following the workshop, VCC will issue a final report summarizing recommendations and issues as a result of the workshop.

Pugh said that VCC expects the workshop and report to catalyze the Los Angeles City Planning Department to begin preparation of a "Community Design Overlay," a planning tool used by the department, for Lincoln Boulevard. The overlay would ensure that development embodies the community's values, preserves desirable qualities, and improves the physical environment.

The workshop is free to the public and will be facilitated by Doug Kruschke, President of InSynergy. Local architects and community planners will lead small-group workshops during the day's activities from 9:30 a.m. to 2:30 p.m., at the United Methodist Church of Venice at 1020 Victoria St. A light lunch will be served. For more information go to www.envisionvenice.org. To make reservations, call (310) 285-8001.

The waves are on their way back down today, though most spots should still be getting some fun sets. A fading WNW swell mixes with backing down S swell and some steep NW wind swell.

OUTLOOK: Consistency continues to drop through the day and into Thursday and Friday.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

Today the water is:

64°

Sunrise: 6:21 a.m.
Sunset: 5:05 p.m.

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	1:55	1.5	2:58	0.0	8:08	5.9	9:10	4.1
SUNDAY	2:16	1.8	3:30	-0.1	8:29	5.9	9:48	3.9
MONDAY	2:36	2.1	4:04	0.0	8:52	5.9	10:30	3.6
TUESDAY	2:56	2.4	4:43	0.1	9:17	5.8	11:21	3.4
WEDNESDAY	3:15	2.7	5:27	0.3	9:44	5.6	N/A	N/A
THURSDAY	3:28	3.0	6:21	0.5	12:32	3.2	(10:15)	5.3
FRIDAY	N/A	N/A	7:27	0.6	10:54	5.0	N/A	N/A

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LETTERS

More thanks from schools

Editor:

Samohi is a very dynamic place these days. The school has been reorganized to provide a more personal and smaller school-within-a-school for every student and faculty member, and intense work is underway to provide effective academic intervention for struggling students. We're well on our way to becoming a great high school that works for all our students. We shudder, however, to think what Samohi would be like this year without the level of support we are receiving from local funds, especially those provided by the voters in passing Measure S and those provided by the Santa Monica City Council in one-time funds. Without this support, we would lose administrators, teachers, librarians, custodians, security and clerical positions. We would lose quality, and we would lose the ability to serve kids well. The entire Samohi community — principals, faculty, staff, students and parents — is hard at work making Samohi a superior public high school. Please know that we cannot do it without you. Thank you for supporting our students and our school.

Ilene Straus

Principal/chief educational officer, Santa Monica High School

Cheri Orgel

President, Santa Monica High School PTSA

Parking problem in City Hall gridlock

Editor:

It is difficult to find logic in the sequence of events pertaining to preferential parking in the Ninth Street and Michigan Avenue area. See for yourself:

City staff recommends parking restrictions for Ninth Street between Pico Boulevard and Michigan Avenue that leave nearly two-thirds of all parking spaces unrestricted. Residents predict the policy will make things worse. Council votes to implement restrictions as recommended by city staff.

The policy is implemented. The parking situation seems quite a bit worse.

A follow-up study is performed by city staff to evaluate the effectiveness of the restrictions. The study shows that weekday, daytime parking occupancies have gone up significantly on Ninth Street since implementation of the restrictions, not just on the side with no restrictions (as could easily be predicted) but on the restricted side as well. Yet staff does not recommend extending weekday, daytime parking restrictions to the currently unrestricted east side of the street. Residents urge staff to reconsider, or at least to provide rationale for its decision. Staff does not reconsider, and after much prodding, says that spillover into areas several blocks from Ninth Street is its

rationale even though the staff states in this same follow-up study that there is no correlation between parking occupancies in the two areas.

Staff has no data for weekend parking occupancies in the area yet suggests that weekend parking restrictions might be in order. Staff does have data for a Wednesday, and the data show that the street's parking is more heavily impacted than it was before implementation of the staff's recommendation, but staff ignores its own data and recommends leaving weekday, daytime restrictions as they are.

Staff puts out a survey to residents asking for input but noticeably omits mention of adding weekday, daytime parking restrictions. Residents are put on hold while staff adds up the numbers.

A year and a half has passed since the staff's original recommendation. The recommendation has been shown, by staff's own report, to have been detrimental to the residents of the area. Yet staff won't budge from its original and faulty recommendation.

Preferential parking guidelines, as stated in our city's municipal code, are all about protecting residents. But staff seems to be protecting someone else, and operating by a different set of rules.

What's the logic in this? Why would staff not follow the municipal code? Why would staff not take care of the residents of Santa Monica, whom one presumes the staff is sworn to serve? Why would staff write a report that makes a strong case for doing one thing and then conclude the report by recommending something else?

Confused? Join the club. Maybe we'll get some answers from the City Council during a public hearing on the matter. If the council doesn't vote to hold a public hearing, we'll have one more thing to wonder about. Let's hope it doesn't come to that.

Christian Boyce

Santa Monica

City officials 'walk the walk'

Editor:

I want to thank the members of the Santa Monica City Council for making public education a priority. I feel proud to live in a community where we financially support our stated values. I feel so hopeless when I see the disparity between the way our federal government spends our tax dollars, for example, to fund a multi-billion dollar war on, and occupation of, Iraq, and its stated priorities: The education of, and provision of, health care for its own citizens. Thank you for walking the walk and not just talking the talk.

Victoria Epstein

Parent of JAMS and Will Rogers Learning Community Students

Bush's science ignores reason, embraces suffering



INCITES

By Ed Silverstein

My grandfather died this past week. Although I will miss him, I do not mourn his passing.

Jack Brill was 96 years old, and in many ways he had been gone for a long time. Macular degeneration had taken his sight, and Alzheimer's disease had robbed him of his ability to walk, communicate or even remember many of the people he loved.

It was heartbreaking for me to witness such a profound decline. And the sadness I might have felt over his death was tempered by relief that he had finally escaped a body that had become a prison.

I have no illusions that science could have prolonged my grandfather's life. But there is promise of potentially groundbreaking medical treatments that could have made his last several years substantially more productive and happy. And although it is too late for him, there are many other grandfathers that don't deserve to live out

their last few years in such a demeaning and pitiful state.

But that is exactly what is going to happen as long as George Bush resides in the White House.

The Bush Administration, in an unholy covenant with extremist religious groups, has conspired to return science to the Stone Age — in which, of course, they don't believe.

Bush and his hair-shirt fanatics want to do away with stem-cell research. This leading edge of medical technology offers some of the best hope to alleviate symptoms and cure disabling conditions such as diabetes, Parkinson's disease, cancer, AIDS, spinal-injury paralysis and Alzheimer's.

Stem-cell research also offers the possibility of cloning body parts for transplant. This would be a boon for the many desperate souls languishing on waiting lists for transplant organs that never arrive. But that is only the half of it.

My sister-in-law had a heart transplant when she was 24. Although the new heart saved her life, it came at a high price. Every day she takes dozens of pills to suppress her immune system and prevent the rejection of her new heart. This regiment extracts a terrible toll on her other organs, leaves her susceptible to pathogens and

causes daily bouts of nausea that nearly incapacitate her. Every six months a tube is shoved through her neck and into her heart for a biopsy.

Yet if the transplanted heart were a clone of her own heart, none of this would be necessary. She would very likely lead a perfectly normal life. But President Bush and his minions find this somehow evil.

Boy George has sentenced millions of people to gruesome fates because he believes a mass of cells, no bigger than a pinhead and created completely in a laboratory, constitutes life.

Even if the president believes this to be true — rather than proclaiming such in order to garner support from the Christian right — it is only an unfounded belief. And it is a belief that is not held by the majority of the world. This is why when the president tried to tack a ban against stem-cell research onto a U.N. resolution banning human cloning, he was defeated.

But even here the President is not consistent. He supports in vitro fertilization. This process usually requires several eggs to be extracted, fertilized and grown into a pre-embryonic stage, which is the same stage from which the stem cells used for research are extracted. When an implanted

zygote achieves a pregnancy, the remaining fertilized tissue is destroyed or, according to Bush's professed beliefs, murdered.

While Bush has no problem "murdering" these babies, our compassionate, conservative president refuses to use these masses of (condemned) cells to save lives and end suffering. Instead he has limited all research to existing stem-cell lines, of which only 10 are viable and those of questionable value.

So it is unlikely that we will see Christopher Reeves walk again. Nor will we see Michael J. Fox entertain us with his comedic wizardry. And some grandson will have to watch his grandfather suffer indignity after indignity as he tragically slips away.

So although I might not mourn the death that ended my grandfather's suffering, I do mourn the time when scientists could strive for medical breakthroughs without first consulting a bible. I want to go back to a time of reason. A time when men of science are making the decisions that will affect my health rather than a "C" student checking a poll result.

(Ed Silverstein is a freelance writer living under the laws of physics in Santa Monica. Comments may be e-mailed to edsincites@aol.com).

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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LOCAL



Jury still out on transit mall's effectiveness

CIGAR SHOP, from page 1

door. The signs for Lone Wolf Cigars are obscured by trees and a tall metal structure over the bus stop. Homeless people sleep on the sidewalk and benches out front.

"They told us it was going to be like the Promenade," said Weiss, 34, who's lived in the Ocean Park neighborhood of Santa Monica for the last 10 years. "It never came to fruition.

"The biggest insult is it's so clear — they didn't think about me."

Most of Weiss' complaints stem from the transit mall project, which was completed last July. It took away parking spots but widened sidewalks and added a bus-only lane to Santa Monica Boulevard and Broadway. The long-term goal of that project is to increase foot traffic and reduce car trips, officials said.

But Weiss, a native of New York, said it's hurting small businesses and pointed to the shop next to him, which has been vacant for several months. Lone Wolf grosses less than \$1 million each year but dishes out nearly \$6,000 in monthly rent. Weiss said he's looking into wholesale and Internet sales to supplement the lag in retail sales.

Local officials said no study has been done so far on the transit mall's impact, but some have conceded that sacrifices have been made in order for it to work.

"We need to hear this," City Councilman Herb Katz said, adding elected officials should want to know if businesses are failing as a result of their policies.

"The overall goal (with the transit mall downtown) is people coming in and pushing mass transit, and if it's a real peak and you can get people out of their cars, then it begins to work ... but you really need a comprehensive plan."

Kathleen Rawson, executive director of the Bayside District Corp., the nonprofit that runs downtown with City Hall, said

Weiss might be eligible for a special permit to move his signs but that he has not contacted Bayside for any help. Rawson added there are a number of projects underway to boost foot traffic on streets off of the Promenade. But finding the money for them is an ongoing challenge.

In the meantime, officials could benefit from checking in with local businesses and visitors to see how they are receiving the new mall, she said.

"The transit mall is a great experiment from the city, and it's probably time to take a moment and step back and say, 'Did the predictions come through? Is it a better street because of the transit mall or not?'" Rawson said.

While downtown slowly evolves according to City Hall's plan, Weiss, who employs three full-time workers in the small cigar shop, said he regularly piles up \$48 tickets because he's forced to unload stock illegally from the alley next door. And his customers — annoyed by the constant noise and deterred by the lack of parking — are missing out on outdoor seating because of the adjacent bus stop.

In order to make the situation better, Weiss said he needs a variance to make his signs visible. The trees should be trimmed to grow higher, and the visitor kiosk next to the bus stop should be moved to the Promenade, where all the foot traffic is, Weiss said. He added that if he had his way, buses would be re-routed and wouldn't come further west than Fourth Street.

"Who's really protecting the small businesses, Bayside? Yeah right," he said, admitting he hasn't contacted Bayside or City Hall since being given the run-around by local officials on other matters years ago. "I'm paying everyone, and nobody's protecting me ... The reality is, business owners are busy. I can't go to all these meetings."

a bottom to this pit," he said. "We give and give, and then they say, 'Give us some more.'"

Parent Teacher Association president Marcia Rodriguez began Tuesday's presentation by introducing a cross-section of the school community, including teachers, parents, students, administrators and classified workers.

Superintendent John Deasy then made a few comments to the council before two brothers, both students at Franklin Elementary School, and two other elementary students, presented to council members a replica of a banner made by a class of kindergarten students that thanks the elected officials.

On Monday night, a similar presentation was made to the Malibu City Council.

Also part of the "Month of Thanksgiving" effort is a letter-writing campaign to local media outlets that expresses gratitude to residents for passing Measure S. Area schools throughout Santa Monica and Malibu also display dozens of banners that read, "Thank you for making this school year possible by passing Measure S. Strong Schools = a Strong Community."

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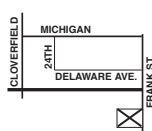


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Outreach for local school funding gets a jump start

SCHOOLS, from page 1

"I hope that they're successful because I don't want them to come back with another tax increase," he said. "Our position was always that the City Council has the money. There's no reason why our taxes should be raised. It's a matter of priorities — we wanted them to put school children over keeping themselves in office by building low-income housing for their campaign workers."

Although the \$2.25 million donation given to the cash-strapped district by the Santa Monica City Council in June was considered a one-time donation, council members in recent years have repeatedly voted to give extra money to schools. The money is in addition to City Hall's annual \$3 million contribution to the district, and several million more in after-school and other programs.

City Councilman Herb Katz said he will meet with committee members sometime this week to discuss their long-term goals. Before any more money is given to the district, Katz said the group needs to convince council members they aren't already giving enough.

"Our schools are important, but there is

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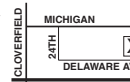


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STATE

Group files suit on law for immigrants' right to drive

BY ANNA OBERTHUR

Associated Press Writer

SACRAMENTO — A small Hispanic organization and a conservative legal group teamed up Monday to launch the latest attack on a new law granting drivers' licenses to undocumented immigrants.

The lawsuit filed in the Third District Court of Appeals seeks to block the law from going into effect in January.

An attorney for the Pacific Legal Foundation said the court challenge was the surer and speedier course to reverse the law signed by Gov. Gray Davis as he fought in vain to save his job during the recall election.

Gov.-elect Arnold Schwarzenegger said he will work to repeal the law, and a petition to overturn it is also in the works.

The lawsuit was the brainchild of the Sacramento-based legal foundation that filed the suit on behalf of Latino Americans for Immigration Reform, a 55-member association based in Salinas and Santa Ana.

The suit claims the law is unconstitutional and is a slap to legal immigrants, said Lupe Moreno, spokesperson for the Hispanic organization.

Davis was criticized for pandering to Hispanics when he signed Senate Bill 60 in September, which reversed a 1993 law by allowing undocumented immigrants a chance to earn California drivers' licenses. New Mexico has a similar law.

"This new scheme undermines the rule of law and rewards people who violate the law," said Pacific Legal Foundation attorney Harold Johnson.

Johnson said it provides a "flashing green light for those who come here with hostile intentions."

Johnson said it provides a "flashing green light for those who come here with hostile intentions."

Francisco Estrada, spokesman for the Mexican American Legal Defense and Education Fund, said the legal challenge was ridiculous.

"These people are just using this rhetoric to stir up the same kind of wedge politics and divisiveness that is threatening to tear our state apart," Estrada said. "And that, as far as I can see, is their only motivation."

The lawsuit claims that offering licenses to undocumented immigrants intrudes on the federal government's authority over immigration. It also charges the law will encourage voter fraud and that it illegally restricts information sharing with federal law enforcement, Johnson said.

The lawsuit is the latest in a series of efforts to undo the bill. A private organization called the California Republican Assembly launched a referendum last month aimed at bringing the matter to voters in the March election, and Schwarzenegger has said he plans to call a special legislative session to try to repeal the legislation.

Supporters of the bill said it would offer essential workers a legal way to get to their jobs and it would improve safety by requiring drivers to pass tests and get insurance.

Members of the Hermandad Mexicana Latinoamericana, a Santa Ana-based immigrants advocacy group, said last month they would stage work stoppages and other actions as part of a counteroffensive to protect the law.

Talks ongoing this week in effort to end grocery strike

LABOR TALKS, from page 1

and United Food and Commercial Workers union leaders ordered a walkout against Safeway Inc.'s Vons stores. Management at Kroger Co.'s Ralphs stores and Albertsons Inc. immediately locked out their grocery clerks in a show of solidarity.

Last week, the union pulled back picket lines from Ralphs stores in a bid to spur that chain to negotiate separately. But in all, nearly 850 stores from San Luis Obispo to San Diego have been affected.

Both sides met with a mediator several times in the past four weeks to try to overcome differences on the cost of health care coverage and other issues that stymied negotiations. On Friday, they agreed to a request by FMCS Director Peter Hurtgen to resume talks.

"The process has just been working through complicated issues and getting to a point where the director thought he could make this request of everyone," Arnold said.

A federal mediator helped forge an end last month to a 3 1/2-week strike and lockout involving more than 10,000 grocery workers in St. Louis-area supermarkets.

In another major labor dispute affecting the region, board members at the Metropolitan Transportation Authority met for 2 1/2 hours Monday to discuss their options after Friday's vote by striking mechanics to reject the agency's final contract offer.

Board members said Monday they were discussing a "process for ending the

strike," but did not elaborate, said MTA spokesman Ed Scannell.

"Talks are being held as scheduled."

— JOHN ARNOLD

Spokesman,
Federal Mediation and Conciliation Service

With its final contract offer rejected, the MTA is now free to impose a one-year contract on mechanics or legally hire replacement workers if employees refuse to abandon picket lines.

The 13-member board was expected to meet again this week.

Some 2,000 mechanics walked off their jobs on Oct. 14, and about 5,000 bus drivers and train operators refused to cross picket lines, halting service to an estimated 500,000 commuters.

The Amalgamated Transit Union, which represents the mechanics, offered last week to end the strike if the agency agrees to binding arbitration. But the MTA has rejected such a measure and contends an independent arbitrator would not be responsible to taxpayers and could commit the county to a costly contract that might lead to fare hikes.

The board members declined to say Monday whether the arbitration option was on the table, Scannell said.

STATE



2003 wine harvest looking fruitful despite wild weather

BY MICHELLE LOCKE

Associated Press Writer

NAPA — Wild, wet weather marked the California wine grape harvest, but the forecast for state vintners may be a bit sunnier.

"It started late and went long — I was telling people it was a long, late, grumpy harvest — but it's over and people are happy," said Karen Ross, president of the California Association of Winegrape Growers.

The harvest, marked by heat waves and thunderstorms, capped a challenging growing season.

"No matter where you were trying to grow grapes, in the winter when it was supposed to be cool, it was exceptionally warm and when it was supposed to be warming up it was cool," Ross said.

This year's crush is estimated to be about 3 million tons, maybe 5 percent short of last year's.

That may be bad news for individual producers selling fewer grapes at still-depressed prices, but it's good news for the industry as a whole, which has been squeezed between aggressively priced imports and a global grape glut.

Industry observers hope a smaller crop, along with the inroads into surplus inventories already made by the new "supervalues" wines such as "Two-buck Chuck," will ease some of the pressure of being caught between aggressively priced imports and a global grape glut.

"Even though grape prices are low, even though growers took some big hits this year, we feel there's a little bounce back," said Joe Ciatti, one of the state's largest bulk wine brokers.

Signs of improvement: inventory in the Central Valley, where last year growers were ripping out vines, is in better shape and there's more interest in Napa and Sonoma wines, he said.

Still, times are still tough for many. "Certainly for many of the coastal areas, they would not feel there's a light at the end of the tunnel unless it's a freight

train," Ross said.

In the Santa Barbara area, yields were down but quality was good, said Sao Anash of the Santa Barbara County Vintner's Association.

"The concentration of fruit, the syrah particularly and pinot noir, is just amazing," she said.

In the Napa Valley, a balmy fall helped cabernet sauvignon, giving the grapes some warm "hang time" to ripen.

Weird weather punctuated the harvest with fits and starts. "It was exciting then ... wait ... then exciting," said Jim Regusci of Regusci Vineyard Management Inc.

Quality is looking good, he said. "Everything we're putting in the barrel's done really well."

One of the big developments of the year was the success of supervalues such as Charles Shaw, made by the Ceres-based Bronco winery and known as Two-buck Chuck because of its in-state price tag of \$1.99.

The supervalues have got more people drinking wine, but it has cut into sales of \$5-\$10 wines, which already were fighting off low-priced Australian and Spanish wines, said Robert Smiley, a University of California, Davis management professor who follows the industry.

The glut still exists, although it has improved a lot for chardonnay, merlot and sauvignon blanc grapes, Smiley said.

Smiley's annual survey of California wineries, growers, distributors and wine sellers, showed the industry was focusing more on price than the past, with wineries cutting costs and lowering prices and retailers running more promotions and specials.

The survey revealed an interesting split. Wineries and vineyards expected their strongest sales growth to be in high-end wines, while distributors and sellers were looking at wines priced between \$3 and \$15.

Smiley sees that as "basically a reflection of entrepreneurial chutzpah. You don't start a winery and continue in business in a winery unless you're an optimist." And, he said, "I think it's wonderful."

Poem lands kid in 'juvi' jail

By The Associated Press

SAN FRANCISCO — A Nobel laureate and a Pulitzer Prize winner are among a group of authors urging California's highest Court to overturn the conviction of a San Jose teenager who spent 90 days in juvenile hall for writing poetry deemed too violent.

The state Supreme Court is reviewing the case of George Julius T., who was prosecuted in 2001 for making criminal threats after he showed at least two classmates a poem with the line "For I can be the next kid to bring guns to kill students at school." He was also expelled from Santa Teresa High School.

In an amicus brief filed last month, a dozen writers argued on the boy's behalf that violent imagery is a literary device that has been employed by poets as far back as Geoffrey Chaucer and William Shakespeare.

The signatories to the brief included this year's Nobel Laureate, South African novelist J.M. Coetzee, and Pulitzer Prize-winning novelist Michael Chabon.

Poetry, "is an artistic medium particular-

ly well-suited for the examination of one's own potential for depravity," they wrote the court. "The developing genre of 'dark poetry,' as practiced by Julius, is merely a continuation of this literary tradition."

The deputy attorney general who is representing the state in the case, however, said it would be a mistake for the high court to read between the lines and conclude that the boy, who was 15 at the time, did not intend his writing as a menace.

"Placing a threat in verse and labeling it poetry does not offer it any more (legal) protection than any other threat receives," said Deputy Attorney General Jeffrey Laurence.

Timing may have played a role in the reaction the boy's poem produced. Eleven days before he decided to give copies to the other students, another 15-year-old had killed two people and wounded 13 at a high school in Santee, Calif.

One of the students who read the poem, entitled "Faces," notified a teacher, who called police. Authorities subsequently found other works that read: "Probably I would be the next high school killer."

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Westside | Real Estate

Senior citizen housing will boom as 'boomers' age



DAYS ON THE MARKET

By Jodi Summers

As the Baby Boomers move into their twilight years, it could turn the real-estate market upside down.

"I speak with a lot of older people about their housing needs, and many are confused about what to do," said Monique Hitzman, senior specialist with Boardwalk Realty in Santa Monica. "They know it's going to become more difficult to live in their home as they grow older. Some are choosing to take the equity and move into retirement communities. Others are renovating their existing residences, which can be a huge expense and inconvenience."

Want to know the next big trend to influence housing? Meeting the needs of aging Baby Boomers. Historically, the generation that was born after World War II has had more impact on the U.S. economy than any other group. They impacted the housing market when they came of age in the 1970s and produced the greatest decade of housing construction. Now that the Baby Boomer generation is thinking

about retiring, their passage into the sunset years will have another profound effect on the types of housing in demand.

The largest, healthiest and wealthiest generation in U.S. history currently make up 35 percent of the population, has 77 percent of the financial assets and 57 percent of the discretionary income, according to the American Association of Retired Persons. Take those numbers and project out 15 years. When the U.S. Census Bureau did that, it estimated that the number of individuals between the ages of 50 and 69 will jump approximately 87 percent over the next 15 years. Currently, in Santa Monica, according to a recent Community Voices profile, 14 percent of residents are seniors, and 12 percent of city households have children.

Another interesting statistic, according to a recent AARP survey, is that most individuals wanted to stay in their homes, and many did not envision making changes in their residences unless specific needs occur. This conflicts with information from a previous AARP housing survey showed, which revealed that nearly 25 percent of Americans 45 and older said that they or someone they live with would have trouble maneuvering in their home in the coming years.

Most respondents acknowledged and

valued home features — such as safety railings — that could help ensure they have a safe and comfortable home. But although they recognized the value of these features, many lacked them in their current homes.

Gopal Ahluwalia, researcher and spokesperson for the National Association of Home Builders, said that there is an "amenity gap" between the features seniors want and what developers are providing. The gap includes grocery stores and drugstores within planned communities, sidewalks, better transportation and home meal service.

"Builders have done a good job in some areas in providing what the 50-plus market wants, including wider roads, grab bars in hallways and bathrooms and a master suite on the main floor," Ahluwalia said. "But we need to continually take into consideration more services in our planning. It's not feasible to have drugstores, grocery stores, hospitals in every neighborhood, but better public and private transportation would go a long way to solving this."

A survey by AARP showed that less than 10 percent of the nation's 100 million housing units have features to make them universally accessible.

The upside is that the housing market is

now aware of Baby Boomers coming of age. Homebuilders now recognize that some consumers might want grab bars, and rattling bones prefer one-story homes.

"There's a real need to educate the 50-plus population about the availability of services in their community and the home features now available that can help them remain independent as they age," said Tony Copeland, a counselor for AARP. "That way, when the need arises, they'll know where to turn."

As we all know, Santa Monica has many fine senior services. WISE Senior Services is a private, nonprofit, multi-service agency "dedicated to maintaining the independence and self-esteem of older adults." It is located at Ken Edwards center, 1527 Fourth St.

Find out what Santa Monica has to offer seniors by going online to http://pen.ci.santa-monica.ca.us/ccs/community_senior/seniors/index.htm. Here you will find out everything from healthcare facilities to dances and movies.

(If you would like to receive a newsletter of interest to property owners, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call at (310) 309-4219.)

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SOLD	721 16TH ST SANTA MONICA 90402	SOLD	1744 10TH ST #3 SANTA MONICA 90404	SOLD	1140 10TH ST SANTA MONICA 90403
Sold Date: 11/04/2003	SqFt: 1,315 List Price: \$1,199,000 Bed: 3 Lot Size: 7,496 Sold Price: \$1,165,000 Bath: 1	Sold Date: 11/03/2003	SqFt: 1,022 List Price: \$399,000 Bed: 2 HOD: \$197 Sold Price: \$405,000 Bath: 2	Sold Date: 11/07/2003	SqFt: 8,124 List Price: \$1,695,000 #Units: 10 Lot Size: 7,496 Sold Price: \$1,695,000 GRM: 14.70
SOLD	1114 MARINE ST SANTA MONICA 90405	SOLD	520 MONTANA AVE #101 SANTA MONICA 90403	SOLD	941 S 20TH ST SANTA MONICA 90403
Sold Date: 11/07/2003	SqFt: 2,258 List Price: \$869,000 Bed: 4 Lot Size: 5,096 Sold Price: \$830,000 Bath: 3	Sold Date: 11/04/2003	SqFt: 1,372 List Price: \$519,000 Bed: 2 HOD: \$260 Sold Price: \$555,000 Bath: 2	Sold Date: 11/05/2003	SqFt: 0 List Price: \$1,495,000 #Units: 5 Lot Size: 7,997 Sold Price: \$1,327,500 GRM: 16.2
SOLD	1234 21ST ST SANTA MONICA 90404	SOLD	937 12TH ST #206 SANTA MONICA 90403	SOLD	937 20TH ST SANTA MONICA 90403
Sold Date: 11/07/2003	SqFt: 2,088 List Price: \$899,500 Bed: 3 Lot Size: 6,517 Sold Price: \$952,000 Bath: 2	Sold Date: 11/03/2003	SqFt: 1,042 List Price: \$459,000 Bed: 2 HOD: \$300 Sold Price: \$480,000 Bath: 1.75	Sold Date: 11/05/2003	SqFt: N/A List Price: \$1,349,000 #Units: 4 Lot Size: 7,997 Sold Price: \$1,327,500 GRM: 35.00
SOLD	230 16TH ST SANTA MONICA 90402	SOLD	2641 4TH ST #6 SANTA MONICA 90405	SOLD	3008 W EXPOSITION BL SANTA MONICA 90404
Sold Date: 11/03/2003	SqFt: 3,074 List Price: \$2,150,000 Bed: 5 Lot Size: 7,500 Sold Price: \$2,037,500 Bath: 3.5	Sold Date: 11/07/2003	SqFt: 762 List Price: \$319,000 Bed: 1 HOD: \$162 Sold Price: \$345,000 Bath: 1	Sold Date: 11/04/2003	SqFt: N/A List Price: \$587,500 #Units: 4 Lot Size: 4,991 Sold Price: \$550,000 GRM: 16.73
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SOLD	1631 ASHLAND AVE SANTA MONICA 90405	SOLD	925 14TH ST #2 SANTA MONICA 90403	SOLD	1820 17TH ST SANTA MONICA 90404
Sold Date: 11/06/2003	SqFt: N/A List Price: \$695,000 Bed: 2 Lot Size: 7,050 Sold Price: \$808,000 Bath: 2	Sold Date: 11/07/2003	SqFt: 1,315 List Price: \$599,000 Bed: 2 HOD: \$360 Sold Price: \$630,000 Bath: 2.5	Sold Date: 11/06/2003	SqFt: 2,400 List Price: \$650,000 #Units: 4 Lot Size: 7,496 Sold Price: \$650,000 GRM: 16.56
SOLD	14200 ALISAL LN SANTA MONICA 90402	SOLD	1440 23RD ST #311 SANTA MONICA 90404	Jodi Summers at Boardwalk Realty • 310.309.4219 jodis@boardwalkrealty.com	
Sold Date: 11/04/2003	SqFt: 2,444 List Price: \$1,795,000 Bed: 4 Lot Size: 28,009 Sold Price: \$1,750,000 Pool Bath: 3.5	Sold Date: 11/05/2003	SqFt: 940 List Price: \$395,000 Bed: 2 HOD: \$225 Sold Price: \$395,000 Bath: 2		



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REAL ESTATE



Everything you need to know about letters of credit



IN YOUR SPACE

By Christina S. Porter

Being a landlord in today's office market has been more of a struggle than in years past.

The tech boom of the fabulous '90s is behind us, and the post-Sept. 11 recession is gone. The economy is still sluggish, but, most would agree, is gaining steam. After the flamboyant spending of the dot-com era, landlords have learned many lessons, and one of the more important ones is the advantage of having a letter of credit as opposed to a cash security deposit as an instrument of lease security. This is especially important when a tenant bankruptcy comes into play.

From a bankruptcy court's standpoint, a cash security deposit is considered prop-

erty of the debtor's bankruptcy estate, which makes it the responsibility of the landlord to obtain a court order to use the cash security deposit. On the other hand, courts view letters of credit as enforceable third party agreements between landlords (beneficiary) and the issuing bank, not as property of the tenant's bankruptcy estate. A tenant's collateral might be subject to the jurisdiction of the bankruptcy courts, but the issuer of the credit assumes that risk, not the landlord.

Even though a letter of credit is preferable to a cash security deposit, it is not a cure-all. Banks follow the terms and conditions set forth in the letter of credit very strictly. It is important that they are drawn precisely because obtaining the funds provided in a letter of credit also can be time consuming. One suggestion is not to make obtaining the funds contingent on any event or circumstance dependent on any third party's control and make sure that there are precise instructions given to the issuer as to when to disburse funds or

draws. A letter of credit should state that a draw can be made if the beneficiary delivers the original letter of credit and, at most, a note from the beneficiary stating that the tenant is in default of the lease. It should not require that tenants acknowledge the default occurred or that they received a written notice of such default.

It is important to know that a letter of credit is a negotiable instrument, which means that if the original is lost or stolen, the issuing bank will not replace it. Each letter of credit is unique to each beneficiary — banks have strict assignment rules and will usually charge a transfer or reissuance fee. Landlords might want to make it a condition of the letter of credit that there be no transfer or reissuance fee, especially if there is a possibility they might sell the building.

A bank that has a local branch as the issuer of the letter of credit is important. Dealing face to face with a banker is sure to facilitate a draw on a letter of credit. However, it is not uncommon for an out-

of-state or non-domestic bank to be confirmed by a local bank. This confirmation is reflected in an additional document from the confirming bank and basically amounts to a promise from the confirming bank to honor the letter of credit if the issuer does not do so.

Most letters of credit are for a term of one year and automatically renew annually. And if there is a nonrenewal clause (many times there is) be sure to thoroughly understand the conditions upon which the letter of credit does not automatically renew. There are creative ways to use letters of credits, especially in relation to a lease requiring landlord-financed tenant improvements. Finally, as with all legal issues, a consultation with expert legal counsel prior to constructing a letter of credit to ensure you have the most up-to-date and accurate information is essential.

(Christina S. Porter is a senior associate at NAI Capital Commercial Real Estate, specializing in leasing, and selling office and industrial buildings.)

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DID YOU KNOW?: Christmas became a National Holiday in the U.S. in 1890.

NATIONAL

Author argues billions of tax dollars wasted on fires

BY DOUG ESSER

Associated Press Writer

SEATTLE — The federal government wastes billions of dollars a year fighting some forest fires, Douglas Gantenbein writes in "A Season of Fire: Four Months on the Firelines of America's Forests."

Gantenbein, a journalist who teaches nonfiction writing at the University of Washington, left Seattle for the summer of 2001 to chase wildfires across the West. And there were plenty, including the Thirtymile fire in Washington that killed four firefighters.

The descriptions of the Thirtymile and other fires Gantenbein visits are dramatic — written with the details of someone who has felt the heat, walked through ash and breathed smoke. Then he gets behind the breaking news to look at the economics of firefighting.

"It could be argued that America spends \$1 billion or more on fires each year and gets essentially nothing," he writes.

Some fires are beneficial to certain habitats. Forests eventually recover from even damaging fires, as Yellowstone has come back from the 1988 fires. And it is an

irony of firefighting that jumping on brush-clearing fires only leads to a buildup of fuel that makes worse fires inevitable.

Yet, Forest Service careers are made managing fires, and firefighting itself has become a growth industry. Thousands of people depend on fires for summer jobs. Gantenbein shows an appreciation for their expertise and effort; it's not their fault they're better at controlling fires than spending.

A big fire creates its own economy, fueled by government managers with blank checks, Gantenbein writes. Private contractors earn their living providing helicopters, tanker planes or food and laundry services. Cities nearing ghost town status revive with the arrival of a small army of firefighters, buying food, personal items and "I was at the big fire" T-shirts.

Gantenbein acknowledges the romance of firefighting: the heroes who protect property and the environment, the fellowship among people who work hard together, the opportunity for women to prove themselves, the Smokey Bear instinct to stomp out all fires, and the slay-the-dragon battle against fire as if at war.

It's an enterprise that burns money.

Gantenbein lists an Oregon blaze as the

2001 poster fire for what he calls the "lunacy" shown at times by fire managers.

"It's the Craggie Fire, started Sept. 17 when lightning hits the dried trunk of a long-dead tree in a remote section of Oregon's Kalmiopsis Wilderness, in the southwest corner of the state. As fires, go it's an innocuous as they get. It burns in a wilderness area, miles from the nearest home, in forest that likely will benefit from a little fire-induced fall cleanup," he writes.

"No matter. The Craggie Fire warrants a full-scale firefighting assault. By Sept. 22, 395 people and an incident command team are assigned to it, along with seven heavy helicopters. The helos do their thing, dropping buckets of water, making a lot of noise, and racking up one hellacious bill. The little Craggie Fire, which never gets beyond 279 acres — it's barely

12 football fields across — nonetheless costs \$2.2 million to fight. At \$7,899 per acre, the Craggie Fire earns the distinction of being the most expensive fire, on a per-acre basis, of the summer — its per-acre bill totaling seven times the nation average of \$1,164 per acre."

Any fire that tops 10,000 acres costs about \$1 million a day, he writes.

Some fires, such as the Southern California blazes that consumed homes this year have to be fought aggressively, Gantenbein would agree.

But he argues that for many others, the United States needs a new policy without the idyllic perceptions of forest, heroic conceptions of firefighters, the instinctive aversion to fire, the influence of special interests in Congress, and the inertia of government bureaucracies.

Scientists link wine quality improvement to global warming

BY SHANNON DININNY

Associated Press Writer

YAKIMA, Wash. — Global warming may become a worldwide catastrophe, but at least the wine should be good.

Researchers from three universities have found that vintages improved as temperatures rose over the past 50 years, especially in areas with cooler climates. But the findings could prove troublesome for vineyards in traditionally warmer regions.

"When you talk to grape growers and wine-makers today, they will still tell you climate is the final player in how good a vintage will be," said Gregory Jones, Southern Oregon University climatologist and co-author of the report. "We are going

to continue to see a warming environment, and there will be some challenges the industry will have to meet one way or another."

Jones joined researchers from Utah State University and the University of Colorado to study 27 renowned wine regions in nine different countries. Using Sotheby's vintage rating system, they found that most vintages improved as vineyards' temperatures rose an average of 1.3 degrees Celsius over the past 50 years.

The effects were strongest in cool climate regions, such as the Mosel and Rhine valleys of Germany, suggesting warmer temperatures offer the greatest advantage to cold-climate grape-growing regions.

The findings will be pub-

lished in a future issue of the journal *Climatic Change*.

A predicted rise of another 2 degrees Celsius over the next half century could have more mixed results, the study showed.

Cooler climates, such as Oregon, Washington and British Columbia, could continue to benefit from global warming.

But regions with warmer climates, such as Italy's famed Chianti region, could see grapes ripen too quickly under even warmer temperatures. Grapes that ripen too quickly on the vine generally have higher sugar content, which produces more alcoholic wine with less acidity and balance.

Rising temperatures may force growers to manage vines differently to produce similar wine styles, or to plant different varieties better suited to the changing climate, Jones said.

The news could be unsettling for an industry that prides itself on regional identity and reputation.

Andrew Walker, a professor of viticulture at the University of California at Davis, agrees rising temperatures are leading to changes in the industry.

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NATIONAL □ INTERNATIONAL

WORLD BRIEFLY

Mag says al-Qaida behind car bombing

By The Associated Press

RIYADH, Saudi Arabia — An Arab magazine said Tuesday that it had received an e-mail from a purported al-Qaida operative claiming that the terror network was behind a suicide car bombing that killed at least 17 people in the Saudi capital.

Saudi and U.S. officials already had blamed Saturday's attack on al-Qaida, which opposes the United States and the Saudi ruling family, but no group had claimed responsibility.

"We struck Muhaya compound," the London-based weekly Al-Majalla quoted an e-mail from a purported al-Qaida operative identified as Abu Mohammed al-Ablaj as saying, referring to the residential compound attacked Saturday.

The magazine, which appears on Fridays, said the e-mail was first seen late Monday and released a statement about it to The Associated Press on Tuesday.

Al-Majalla magazine began receiving e-mails from al-Ablaj earlier this year. A U.S. counterterrorism official has said al-Ablaj was believed to be a leading al-Qaida figure also known as Abu Bakr.

Lawyers make their case in sniper trial

By The Associated Press

CHESAPEAKE, Va. — Lawyers for sniper suspect Lee Boyd Malvo have subpoenaed fellow suspect John Allen Muhammad in a quest to show the older man brainwashed Malvo into participating in last year's deadly Washington-area shootings.

Malvo attorney Craig Cooley said Monday after the first day of jury selection for Malvo's trial that he had not

yet received a response from Muhammad's attorneys.

"We have a number of questions we would like to ask him," Cooley said, adding, "not the least of which is the motivation for the indoctrination of Lee."

The defense also is planning to call Muhammad's former wife, Mildred Muhammad, "to describe the manipulative nature of Mr. Muhammad" and his "disciplined approach to things."

As lawyers began screening potential jurors Monday in the Malvo case, prosecutors in a courtroom 15 miles away rested their case against Muhammad. Malvo, 18, and Muhammad, 42, are being tried for two different killings in northern Virginia in October 2002. Both men face the possibility of the death penalty if convicted.

The pair have been accused of killing 10 and wounding three during the sniper spree last fall in the Washington area.

Stem cell treatment 'unethical,' 'risky'

By The Associated Press

BALTIMORE — Treating patients with the embryonic stem cells approved by President Bush for federally funded research would be unethical and risky, a medical ethics panel said.

The approved cell lines, created for possible future disease treatments, were initially grown on mouse cells. That could expose humans to an animal virus their immune systems couldn't fight, the panel said. The experts said Monday that safer stem cell lines now exist, but those would not be eligible for federal funding.

The ethics panel announcement was the latest sign of the friction between stem cell scientists and Bush, who two years ago set limits on the controversial research which destroys human embryos.

Earlier this year, the director of the National Institutes of Health called on the president to lift his restrictions. And a number of scientists note that research into stem cells is progressing overseas.

A spokesman with Bush's Health and Human Services Department said no one was available to comment on the ethics panel finding.

The medical ethics panel, which included scientists, philosophers, ethicists and lawyers from the United States and Europe, was formed by Johns Hopkins University to study the ethical questions arising as stem cells move from research to human trials and, possibly, to human therapy.

White House in 'political squeeze'

By The Associated Press

WASHINGTON — A global trade ruling against U.S. steel tariffs puts the White House in a political and economic squeeze as President Bush weighs the sanctions' fate — and his re-election prospects.

The White House was pummeled from both sides Monday after a World Trade Organization panel in Geneva declared the sanctions illegal. The European Union has threatened \$2.2 billion in retaliatory sanctions if the tariffs, imposed March 2002, are not lifted immediately.

"The decision undoubtedly confronts Mr. Bush with a test of wills," said Leo W. Gerard, international president of the United Steelworkers of America, which wants the tariffs to remain. "Will he exercise his sovereign right as president to protect the jobs and survival of the entire American steel industry, or will he knuckle under to the threat of economic blackmail being leveled by the European Union?"

The Bush administration criticized the WTO's appellate decision. The final verdict of the organization's highest tribunal, the decision upheld a similar ruling by the trade group during the summer.

White House spokesman Scott McClellan told reporters on Air Force One that "we disagree with the overall WTO report" and said the administration was studying the ruling. He offered no timetable for a decision whether to keep the tariffs in place.

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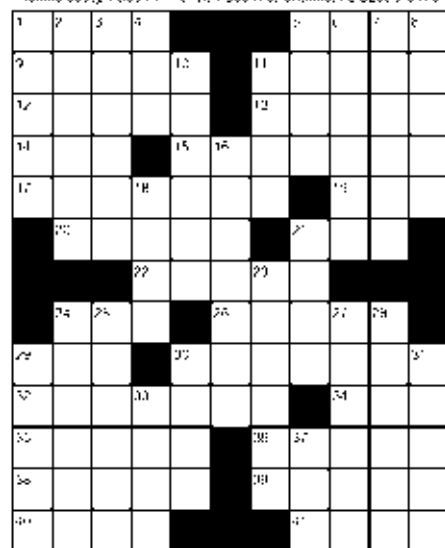
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SANTA MONICA SCENE °CALENDAR EDITION

WEDNESDAY, NOVEMBER 12, 2003

EVENTS

Talk About It

Fifth, sixth, and seventh graders are welcome to participate in a monthly literature discussion group that will, this month, be discussing The Watsons Go to Birmingham, 1963, a book by Christopher Paul Curtis. There will be copies available at the discussion. The group will meet at 5 p.m. For more information, call (310) 829-7081. Santa Monica Public Library, Montana Branch, 1704 Montana Ave.

Learn Spanish

The Venice Community Adult School is offering Wednesday night "conversational Spanish" classes for beginner and intermediate level speakers. The classes will be held from 6 p.m. to 9:15 p.m. There is a \$15 registration fee and a \$1 student ID card fee. For more information, call the school at (310) 306-8111 after 1 p.m. Venice Adult School, 13000 Venice Blvd., Los Angeles

Lecture by Charles Jencks

Charles Jencks, a designer and architectural critic, will discuss his newest book, The Garden of Cosmic Speculation. The event begins at 6:30 p.m. General admission - \$15; Students - \$10; Santa Monica Museum of Art members - \$5. For more information, call (310) 586-6488. Bergamot Station, 2525 Michigan Ave

CULTURE

Puppetolio!

Watch a puppet show at the Santa Monica Puppet and Magic Center. This is a great place to take the kids and to unwind after a long day. The show begins at 1 p.m. Santa Monica Puppet and Magic Center, 1255 2nd St. (310) 656-0483

Comedic Lectures by John Lehr

John Lehr explains what he has learned in life during this partly improvisational, partly storytelling lecture. The act is a non-stop tour of recollection from one hilarious experience to the next. 8 p.m. The Powerhouse Theatre, 3116 2nd Street 1-800-41-FUNNY

Cinderella

The Santa Monica Playhouse presents Chris Decarlo & Evelyn Rudie's version of the romantic musical classic, Cinderella, as part of their Fall Twilight Series. The performance begins at 6 p.m. and will be shown every Friday until Dec. 21. Tickets for kids 12 and under cost \$10 and \$12 for adults. For more information or reservations, call (310) 394-9779, ext. 1. Santa Monica Playhouse, 1211 Fourth Street

The Other Shoe: Original Short American Plays

The Edgemar Center for the arts will present a compilation of musical and comedic plays. The program begins at 7:30 p.m. and costs \$20. Reservations can be made at

(310) 392-7327. Saturday and Sunday. Edgemar Center for the Arts, 2437 Main Street

ENTERTAINMENT

Harvelle's

Established in 1931, Harvelle's is the oldest blues club on the west side. This is the kind of blues joint you'd expect to find in a dark Chicago alley; yet even if it's your first visit, it feels familiar. Tonight Harvelle's presents the Key Frances Band. 1432 4th St., (310) 395-1676

14 Below

An intimate and well-equipped club that is leading the Westside music scene with live performances seven nights a week. Tonight 14 Below features the following: Open Mic at 6:30 p.m., Songwriters Guild of America's "The Songwriter's Studio", Ron Smith and Larry Mark, Voluble, and Burden of Proof. 1348 14th St. Santa Monica (310) 451-5040

Temple Bar

Here visitors can enjoy concoctions like White Chocolate Martinis, a Gintirini or a Razzmatazz. Those who are really hungry can enjoy a Chicken Tamale Plate with Fried Plantains. Temple Bar even offers vegetarian options like veggie eggrolls and burgers. But no good bar would be complete without live music. Tonight the Temple Bar features DJ Issa and the following: Nojazz at 8:30 p.m., Daedelus at 9:45 p.m. and Kneebody with Busdriver & Xoloanxino at 11 p.m. 7. 1026 Wilshire blvd. Santa Monica (310) 393-6611

MOVIE °GUIDE

LAEMMLE'S MONICA 4-PLEX

1332 2nd Street
Mambo Italiano - 1:15, 6:05 p.m.
Shattered Glass R - 12:15, 2:40, 3:40, 5:05, 6:05, 7:30, 8:30, 9:55 p.m.
The Singing Detective R - 12, 2:35, 5:10, 7:45, 10:15 p.m.
The Station Agent R - 1, 3:15, 5:30, 7:45, 10 p.m.

LANDMARK NU-WILSHIRE

1314 Wilshire Blvd
Elephant R - 4:45, 7, 9:30 p.m.
Pieces of April PG-13 - 12:45 p.m., 3:30, 7:15, 9:45 p.m.

LOEWS CINEPLEX BROADWAY CINEMAS

1441 Third Street Promenade
Kill Bill Vol. 1 R - 12, 2:30, 5:05, 7:40, 10:20 p.m.
Love Actually R - 11:30 a.m., 12:30, 2:45, 3:45, 6:15, 7:30, 10:15 p.m.
Mystic River R - 12:45 p.m., 3:50, 7:15, 10:30 p.m.

AMC SANTA MONICA 7

1310 Third Street Promenade
Alien: The Director's Cut - 9:15 p.m.
Brother Bear PG - 1, 3:05, 5:10, 7:20, 9:30 p.m.
Elf PG - 2, 4:30, 7:25, 9:50 p.m.
In the Cut R - 1:40, 4:20, 7, 9:45 p.m.
Intolerable Cruelty PG-13 - 1:50, 4:40, 7:35 p.m.
Scary Movie 3 PG-13 - 1:30, 3:30, 5:30, 7:45 p.m.
School of Rock PG-13 - 1:20, 4, 7:05, 9:40 p.m.
The Texas Chainsaw Massacre R - 1:35, 4:50, 7:10, 9:35 p.m.

MANN CRITERION 6 THEATERS

1313 Third Street Promenade
Good Bye! PG - 10:45 a.m.
The Human Stain - 11:30 a.m., 2:15, 4:50, 7:50, 10:40
The Matrix Revolutions - 11 a.m., 12:30, 1:15, 2, 3:30, 4:15, 5, 6:30, 7:15, 8, 9:30, 10:15, 11 p.m.
Radio - 10:50 a.m., 1:20, 4, 7, 9:40 p.m.
Runaway Jury - 1:30, 4:30, 7:30, 10:30 p.m.

If you know of an upcoming event which may be included in the calendar please send the information to calendar@smdp.com or fax it to (310) 576 9913



PEOPLE IN THE NEWS

Charred home of Judy Garland displaces homeless

By The Associated Press

■ **LANCASTER** — Judy Garland's childhood home went up in flames over the weekend, but authorities said there were no injuries and the house could be repaired.

More than two dozen people were inside the two-story house Sunday night when the fire spread from a bedroom electrical outlet to drapes. All escaped, and damage was estimated at \$175,000.

Garland lived in the eight-bedroom, wood-and-stucco home in the early 1930s, said neighbors who still live near the home in this community in northern Los Angeles County.

Neighbor Barbara Ralph, 80, said Garland's family moved out in 1936, three years before Garland starred in "The Wizard of Oz." The singer-actress died in 1969 at 47.

Ralph said she'd visited Garland in the home, and hoped the structure could be repaired.

"I would like to see it saved — it has been there for a long time," she said.

The home had been used for the past year as a boarding house for the homeless, said its operator, Elton Moses. City officials said it was against ordinances for six unrelated people to live together in a single-family home, and were investigating.

■ **NEW YORK** — Former POWs Pfc. Jessica Lynch and Spc. Shoshana Johnson deflected praise as they were honored as women of the year, saying fellow soldiers who are still in Iraq are the real heroes.

"The heroes to me are those Marines who took a chance to rescue me," said Lynch, who made her way to the podium on crutches at Glamour magazine's annual Women of the Year ceremony Monday.

The two dedicated their awards to their friend, Spc. Lori Ann Piestewa, the first American woman killed in action in this year's Iraq conflict.

Johnson thanked her mother and aunt, saying they set an example that with determination, anything is possible.

"All I hope to do is to be an example to young women that you can be astronauts, doctors, lawyers, even presidents," said Johnson, the mother of a 3-year-old daughter.

The magazine's annual list of inspiring women included Ellen DeGeneres, who's back on television with a syndicated talk show. Called "the comeback woman," the comedian said she's glad to be back in the spotlight six years after coming out as a lesbian.

"Right after I came out, Entertainment Weekly named me entertainer of the year, and then no one wanted to be entertained by me for a while," DeGeneres said. "It hurt me so badly that I didn't get to be funny anymore."

DeGeneres also joked about fellow honoree Britney Spears for famously kissing Madonna at the MTV Video Music Awards in September.

"I'm glad that Diane Sawyer and I decided to forgo the kiss after all. She insisted, but I just said no," she said.

In a video tribute, Jon Stewart said DeGeneres should be the only woman of the year, even over fellow honorees Dr. Julie Gerberding, director of the Centers for Disease Control and Prevention, and Lynne Cox, who has swum the Bering Strait and the waters off Antarctica to campaign for peace.

"The lady that runs the CDC? Not that funny," Stewart joked. "The lady that swam Antarctica? I don't like prop comics. Ellen's funnier."

■ **LONDON** — A pub landlord who said his business almost collapsed after Van Morrison canceled an appearance was awarded \$66,800 compensation by a court Tuesday.

Gary Marlow had sued the 57-year-old star and his production company, Exile, for \$668,000 over the cancellation in August 2002 at The Crown Hotel in Everleigh, southern England.

Morrison and Exile denied any breach of contract and said the claim for compensation was unsubstantiated.

Marlow, 44, had claimed the return of the advance plus

lost profits from ticket sales, alcohol, food and tobacco and a further sum for damage to his business' reputation.

He said monthly sales at the 17th-century inn had plunged from \$41,750 to \$18,370 and he was struggling to make a living.

But High Court judge Peter Cresswell ordered Exile to pay Marlow \$66,800, including a \$33,400 advance fee paid to Exile.

Morrison's counsel, Thomas Croxford, said his client canceled the concert in July 2002 because Marlow had breached a crucial condition of the deal that restricted publicity. He stressed that the judge's ruling had been against Exile and not Morrison personally.

■ **NEW YORK** — The person Film Threat named as the coldest in the entertainment industry should come as no surprise: It's Jack Valenti.

The Motion Picture Association of America president is No. 1 on this year's "Frigid 50," the online film magazine's annual ranking designed to contradict lists of Hollywood's hot and powerful in magazines like Entertainment Weekly and Premiere.

Valenti has drawn nearly universal criticism from actors, writers, directors and film critics for deciding, along with several major studios, to stop sending screener DVDs and videos to Academy Award voters. They argue they're trying to prevent piracy.

"Valenti's ban on screeners is the equivalent of rigging the game in an already stacked deck," the Web site's writers said. "Small films will not stand a chance come Oscar time."

Second on this year's list is Cuba Gooding Jr., whose recent critical flops have included "Radio," "The Fighting Temptations" and "Boat Trip." ("Has any one person done so little with an Oscar?" the Web site asks.) Also included are Ben Affleck and Jennifer Lopez, Demi Moore and Ashton Kutcher, Brittany Murphy and Woody Allen.

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